IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

SUMM. FOR JUDGMENT NO. 326 OF 2004

IN

SUMM.SUIT NO.3998 OF 2003

M/s Dropadi Inds .. Plaintiff

versus

Mr Rakesh Baljeet Singh Bhati.. .. Defendant

None for Plaintiff

Mr.D.A.Barot for Defendant

CORAM : D.G. KARNIK, J

DATED : 5th April 2005.

P.C:-

1. Heard learned counsel for the parties. In the affidavit in reply, the defendant has stated that he has paid a sum of Rs.3,70,740/- and given details of payment in para 3 of the affidavit in reply. Balance amount due is only Rs.538/- has been deposited by the defendant in the court vide receipt dated 30th March, 2005. In the circumstances, triable issues arise in respect of the remaining suit claim of the

plaintiff. The defendant is accordingly granted unconditional leavel to defend the suit. Suit shall stand transferred to the list of commercial causes. Defendant to to file the written statement within four weeks.

D.G.KARNIK, J